

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

REBECCA SUMMERS

Plaintiff

vs.

KEEBLER COMPANY, et al.

Defendants

: CASE NO. C-1-02-368
:
: JUDGE SUSAN J. DLOTT
:
:
: NOTICE OF ADDITIONAL
: AUTHORITY
:
:

Now comes Plaintiff, by and through counsel, and hereby submits additional authority in support of her claim against the union. The additional authority is the case of *Edgar D. LaPerriere, Jr. v. International Union, United Automobile, Aerospace and Agricultural Implement Workers of America*, Case No. 01-1576. In that case the Sixth Circuit Court of Appeals permitted a direct cause of action against the union for breach of the duty of fair representation.

RESPECTFULLY SUBMITTED,

/s/ Mark J. Byrne

MARK J. BYRNE - #0029243

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CERTIFICATE OF SERVICE

I hereby certify that on December 18, 2003, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Patricia Anderson Pryor, Taft, Stettinius & Hollister, Attorney for Defendant Keebler Company, 425 Walnut Street, Suite 1800, Cincinnati, Ohio, 45202-3957, at pryor@taftlaw.com; Roger A. Weber, Taft, Stettinius & Hollister, Attorney for Defendant Keebler Company, 425 Walnut Street, Suite 1800, Cincinnati, Ohio, 45202-3957, at weber@taftlaw.com; and James B. Robinson, Kircher, Robinson & Welch, Attorney for Defendant Bakery, Confectionery & Tobacco Workers' and Grain Millers Local 253, 1014 Vine Street, Suite 2520, Cincinnati, Ohio, 45202, at kircher@fuse.net.

/s/ Mark J. Byrne

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